

No. 5:13-CV-00311-F

Defendants.

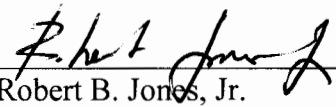
ORDER

Rule 26(c) of the Federal Rules of Civil Procedure authorizes a court to issue an order limiting or staying discovery. Specifically, a court has discretion to stay discovery until the court’s resolution of pending dispositive motions. *See Yongo v. Nationwide Affinity Ins. Co. of America*, No. 5:07-CV-94-D, 2008 WL 516744, at *2 (E.D.N.C. Feb. 25, 2008); *Tilley v. United States*, 270 F. Supp. 2d 731, 734 (M.D.N.C. 2003). In certain cases, a stay of discovery may be appropriate to prevent a waste of time and resources by the parties and to make efficient use of judicial resources. *See United States v. A.T. Massey Coal Co.*, No. 2:07-0299, 2007 WL 3051449, at *2 (S.D. W. Va. Oct. 18, 2007). ““Factors favoring issuance of a stay include the potential for the dispositive motion to terminate all the claims in the case or all the claims against particular defendants, strong support

for the dispositive motion on the merits, and irrelevancy of the discovery at issue to the dispositive motion.”” *Yongo*, 2008 WL 516744, at *2 (quoting *Tilley*, 270 F. Supp. 2d at 735).

Here, Defendants have demonstrated good cause for their request to stay discovery and other deadlines pending resolution of Defendants’ motion to dismiss. Accordingly, (1) discovery, including a stay of the requirements to conduct the initial pretrial conference and submit a discovery plan as mandated by Rule 26(f) and to provide Rule 26(a) initial disclosures, is STAYED pending ruling on Defendants’ motion to dismiss; (2) in the event Defendants’ motion is not dispositive of this matter, within fourteen (14) days following the court’s ruling on Defendants’ motion, the parties shall confer regarding a Rule 26(f) discovery plan and, within seven (7) days after the Rule 26(f) conference, file a proposed discovery plan and exchange mandatory initial disclosures.

SO ORDERED, the 22nd day of August 2013.



Robert B. Jones, Jr.
United States Magistrate Judge